

COMPLAINT

(for filers who are prisoners without lawyers)

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

U.S. District Court
Wisconsin Eastern

NOV 16 2020

FILED
Clerk of Court

(Full name of plaintiff(s))

GERALD DARUIS Smith

v.

Case Number:

20-cv-1720

(Full name of defendant(s))

(to be supplied by Clerk of Court)

Sheriff Christopher Schmalzing

Capt. Bradley Friend

Officer Preston K. Kite

Tommy Munsdwell Canady

A. PARTIES

1. Plaintiff is a citizen of U. S. A. and is located at
(State)

717 Wisconsin Ave. / Racine, Wisconsin 53403
(Address of prison or jail)

(If more than one plaintiff is filing, use another piece of paper.)

2. Defendant Sheriff Schmalzing / Capt. Friend / Officer Kite / Inmate Canady
(Name)

is (if a person or private corporation) a citizen of U. S. A.

(State, if known)

and (if a person) resides at _____

(Address, if known)

and (if the defendant harmed you while doing the defendant's job)

worked for (Sheriff) Schmaling/Capt. Friend - R.C.J
(Employer's name and address, if known)

(If you need to list more defendants, use another piece of paper.)

B. STATEMENT OF CLAIM

On the space provided on the following pages, tell:

1. Who violated your rights;
2. What each defendant did;
3. When they did it;
4. Where it happened; and
5. Why they did it, if you know.

1.) (Sheriff) Schmaling, (Jail Administrator) Capt. Bradley Friend, (Officer) Preston K. Kite, (Inmate) Tommy Munsdwell Canady

2.) Sheriff Schmaling, allowed me to be housed in the Racine County Jail (R.C.J.), with a outdated security system. As a result of this, I was assaulted, which caused me, Physical Pain & Suffering/ Emotional Distress (PPS/ED)... Capt. Bradley Friend, failed to upgrade and make sure the (R.C.J) security system was operating/functioning proper. As a result of this, I was assaulted, which cause me (PPS/ED)... (Officer) Kite failed to make sure the (R.C.J) security system was functioning proper at the start

of his shift. As a result of this, I was assaulted, which cause me (PPS/ED)... Tommy Canady (State prisoner) was able to enter my dayroom, due to the failure of the (R.C.J) security system. As a result of this, I was assaulted by Canady, which cause me (PPS/ED)

3.) This Incident happen on, 11/14/2019 at approximately 08:00 hours

4.) This incident happened at the Racine County Jail, on the 4th Floor, in dayroom 2.

5.) I believe this incident happen, because of the (RCJ) negligence.

C. JURISDICTION

☒ I am suing for a violation of federal law under 28 U.S.C. § 1331.

OR

☐ I am suing under state law. The state citizenship of the plaintiff(s) is (are) different from the state citizenship of every defendant, and the amount of money at stake in this case (not counting interest and costs) is \$_____.

D. RELIEF WANTED

Describe what you want the Court to do if you win your lawsuit. Examples may include an award of money or an order telling defendants to do something or to stop doing something.

I would like to be awarded 1.5 Million
dollars, for my physical pain & suffering /
emotional distress.

I would like the (R.C.J) to pay in full,
any *future Medical bills/Meds./program/
or treatment Cost in connection to what
I was force to endure.

I would like the (R.C.J) to up grade
there Security system as well, to
ensure the Safty of myself, staff,
and others.

E. JURY DEMAND

I want a jury to hear my case.

☒ - YES

☐ - NO

I declare under penalty of perjury that the foregoing is true and correct.

Complaint signed this 10 day of November 2020.

Respectfully Submitted,

Mr. G. Smith

Signature of Plaintiff

#49759

Plaintiff's Prisoner ID Number

GERALD DARWIN Smith

717 Wisconsin Ave./Racine, WI. 53403
(Mailing Address of Plaintiff)

(If more than one plaintiff, use another piece of paper.)

REQUEST TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING THE FULL FILING FEE



I DO request that I be allowed to file this complaint without paying the filing fee. I have completed a Request to Proceed in District Court without Prepaying the Full Filing Fee form and have attached it to the complaint.



I DO NOT request that I be allowed to file this complaint without prepaying the filing fee under 28 U.S.C. § 1915, and I have included the full filing fee with this complaint.